

# The Constitution of the Morehead State University Student Government Association

## PREAMBLE

We, the students of Morehead State University, cognizant of our rights and responsibilities as citizens of the university community, do hereby establish a system of self-government whereby our convictions and actions may be fully represented in a forum, our rights protected by adjudication, and our desires executed into reality, in the constitution of the Morehead State University Student Government Association.

## ARTICLE I - THE STUDENT ASSOCIATION

Section 1. Definition: Any person enrolled as a full-time student of Morehead State University is a member of the Student Association and is entitled to all the privileges and protections granted within this constitution.

## ARTICLE II - BRANCHES OF GOVERNMENT

Section 1. Delegation of Powers: The Student Association of Morehead State University shall be governed by three branches: executive, legislative and judicial. These branches shall be separate by interrelated.

Section 2. Title of the Branches: these aforementioned branches shall have the powers of student self-government. They shall be named: the Executive Committee, the Student Congress, and the Student Court, respectively.

## ARTICLE III - BILL OF RIGHTS

Section 1. Rights of Students: The rights of students of the Morehead State University Student Association as citizens of the United States of America and the university shall not be infringed upon by any person, organization, association, or group affecting this university.

Section 2. Inalienable Rights: All men are by nature free and equal, and have certain inherent and inalienable rights, among which are:

- A. The right of enjoying and defending their privileges and liberties granted in the Constitution of the United States.
- B. The right of the students to be protected from discrimination because of sex, race, nationality, birthplace, or association.
- C. The right of the students to alter, reform, or abolish their government, conditioned by the Board of Regents.
- D. The right of the students to a speedy judicial remedy. Protection from double jeopardy, self-incrimination, and excessive or cruel punishment, shall be guaranteed.

Section 3: University Reserved Right: The administration may, in those cases where there is a strong indication that a student's misconduct will be repeated or continue or where the administration believes disciplinary action is necessary to permit the university to carry on its function, impose immediate suspension with resultant loss of all student rights and privileges, pending hearing, if the student desires,

before the Student Disciplinary Committee. The student has a right to a speedy hearing on the limited question of whether suspension should remain in effect until the regular hearing is completed.

## ARTICLE IV - THE EXECUTIVE BRANCH

Section 1. Officers: The executive branch shall consist of a committee of President, Executive Vice President, vice president for Administration, vice president of Finance, vice president of Public Relations, and vice president for Programming. These elected officials constitute the Executive committee and in doing so may not serve as a chairperson of a standing committee. All administrative functions of the Student Government Association shall be vested in this branch.

### Section 2. Qualifications:

#### A. Any Candidate for the executive branch must:

1. Be a member of the Student Association
2. Have a 2.5 cumulative grade point average
3. Not be on academic warning
4. Not be on disciplinary probation

#### B. Any Candidate for the office of President must also have successfully completed a minimum of 45 hours of full-time study at Morehead State University.

#### C. Any member of the executive branch must:

1. Be a member of the Student Association.
2. Maintain a minimum 2.5 cumulative grade point average during their term in office.
3. Not be on disciplinary probation.

Section 3. Executive Committee Responsibilities: The Executive Committee shall be responsible for the administration of all congressional acts. It shall assist the president; advise the Executive Vice President of his or her selection of chairmen for the standing committees; meet prior to each general congressional session to set an agenda; meet in emergency sessions; select members of the clerical staff; and perform all duties granted it by the Student Congress.

Section 4. Advisory Staff: An advisory staff may be appointed by the president and may be dissolved by the President at his or her discretion.

### Section 5. Duties of Officers:

#### A. The President of the Student Government Association is the chief officer of the executive branch.

1. The major duties are as follows: to make all appointments granted the executive branch; to preside at all the meetings of Congress; to preside at all the Executive Committee meetings; to perform such other duties as are necessary to serve the student of the association to the best of his or her ability.
2. His or her presidential-legislative power shall be limited to: introduction of legislation, debate as granted in the latest edition of Robert's Rules of Order; messages; and power to initiate impeachment charges.
3. His or her presidential-judicial power shall be limited to the authority to bring charges against violators of laws set by the Student Association, and to appoint, with approval of Congress, judges to the court.

- B. The Executive Vice President shall be vested with powers of the Presidents in the absence of or at the request of the President. He or She shall be an ex-officio member of all congressional committees. He or she is charged with reporting their progress to the President. The Executive Vice President shall preside during the impeachment and/or removal proceedings of the Chief Justice of the Student Court.
- C. The vice president for Administration shall be responsible for all clerical assistance and the maintenance of all records of congressional meetings and the Executive Committee meetings. He or she shall handle all correspondence and send written notification of congressional meetings at least three days in advance of the respective meeting dates. The vice president for Administration shall have a copy of the constitution, standing rules, the book of parliamentary procedure, and a list of all members of Congress at all congressional meetings to upon the request of the President. He or she shall file and official copy the congressional minutes with the advisor and whomever congress designates, within three days after The vice president for Finance shall have the power to conduct all financial transactions of the association. He or she is entrusted with the keeping of all financial records and the collection and distribution of all monies as directed by congress and or the president when granted the power by congress. All monies must be kept in accordance with the policies of Morehead State University.
- D. The vice president for Public Relations shall be responsible for the public affairs of the congress. He or she shall act as the public relations director of the Student Congress and shall direct all notifications and announcements of Student Congress sponsored events to the Student Government Association. He or she shall keep a record of all Student Government Association activities in a scrapbook designated for that purpose.
- E. The vice president for Programming shall be responsible for the administering to and proposing all special programs or events to the Executive Committee and Congress.

## ARTICLE V - THE STUDENT CONGRESS

Section 1. Membership: The membership of the Congress of the university Student Government Association shall be composed of:

- A. The Executive Committee.
- B. The class representatives, numbering approximately 15, will be elected from the following classifications: freshman; sophomore; junior; senior; and graduate. The number of representatives elected from each classification will be determined on the same ratio to 15 as each class's full-time enrollment at the beginning of the last spring term to the total full-time university enrollment. It will be rounded off to the nearest whole number. In cases where the fraction is exactly half way between integers, it will be rounded up to the nearest whole number. Reapportionment of this legislative representation for the next session of congress shall be enacted in the spring term of each year and shall be based on each classification's full-time enrollment figure at the beginning of the spring term of that present school year.
- C. A residence hall area rep will represent their specific area. The residence halls have been combined and put into three areas based on location with the number of reps for an area being based on number of residents in that area. The representative(s) for an area must live in one of the residence halls in that area in order to be a representative. The areas and number of representatives are as follows:

Area 1-1 rep: Butler, Regents, Wilson, Cooper, and Alumni  
Area 2-3 reps: Nunn, East Mignon, West Mignon, Mignon Hall, Mignon  
Tower, and Waterfield  
Area 3-2 reps: Gartmell, Mays, Thompson, Fields, Gilly Apts, and the  
University Farm

D. One family housing student representative shall be elected from that constituency. Family housing students are defined as only those students living in university family housing.

E. Three commuter representatives shall be elected from that constituency. Commuters are defined as students not living in university housing.

F. One African American student representative from the Black Student Coalition shall be elected by that constituency. The voting shall take place during the Black Coalition elections.

G. One International student representative from the Cosmopolitan Club shall be elected by that constituency. The voting shall take place during the Cosmopolitan Club elections.

H. One Non-Traditional student representative shall be elected from the Non-Traditional Eagle Society by that constituency. The voting shall take place during the Non-Traditional Eagle Society elections.

I. Two representatives per college shall be elected by their constituents. These representatives will also serve as student members on committees within their colleges.

J. One representative of the Student Activities Council shall be elected by that constituency. The voting shall take place during the Student Activities Council elections.

K. That constituency shall elect one representative of the Greek system. The voting shall take place during the congress elections each fall with the elected person serving as this representative. In order to be eligible for this position he or she must be an initiated member of a Greek organization.

L. That constituency shall elect one representative of the Residence Hall Association. The voting shall take place during the Residence Hall Association elections.

M. There shall be two at-large representatives elected by that constituency. That constituency is an member of the Student Association, as defined in Section 1, Article I.

N. Each representative will be a member of a standing committee of congress. Each representative will have his or her preference of the standing committee to which he or she belongs. This selection will be made within two weeks following the congressional election. Each member will list his or her preferences first, second, and third, and shall then be assigned to a committee by the executive vice president with approval from the president.

Section 2. Qualifications: All representatives must be full-time students and in good social and academic standing with a 2.25 overall academic standing on a 4.0 scale. A representative must be a member of the class that he or she represents during the first semester of his or her term of office or a member of the student segment that he or she represents for the entire term of his or her office. Qualifications of all candidates shall be verified and recorded by the vice president for administration of the

Student Congress before names will be placed on the ballot. If a congress member drops below a full-time load during a semester, he or she may remain on congress with the approval of congress.

Section 3. Parliamentary Procedure: The congress shall use Robert's Rules of Order, latest edition, to govern the parliamentary procedure when not in conflict with the constitution.

Section 4. Vacancies: If a vacancy occurs in congress, a new representative from the same constituency shall be appointed by the president of the Student Government Association and approved by the Student Congress.

Section 5. Appointments: The Student Congress shall by a majority vote, ratify all appointments made by the President, unless otherwise provided for in this constitution. Any person appointed by the President shall be entitled to exercise all powers of the appointed office upon ratification by the Student Congress.

Section 6. Advisor: The advisor of the Student Congress shall be the Vice President for Student Life or his/her delegated representative. He or she shall have deliberate power but no voting power in Congress. He or she must be notified in advance by the vice president for Administration of all congressional sessions.

Section 7. Minutes: The Congress must keep minutes of its proceedings. The yeas and nays of the members on any question must be entered in the minutes at the desire of one-fifth of those present.

Section 8. Committees: All special and standing committees of the Student Government Association shall be established and terminated by the President upon congressional approval. The Executive Vice President shall regulate them. Committees shall be given direction through purposes and guidelines when established by congress.

Section 9. Quorum: A majority of the voting members of the Student Congress shall form a quorum for the transaction of business.

Section 10. Committee Reports: Committee representatives may be asked to report periodically on the action of their respective committees.

## ARTICLE VI - THE STUDENT COURT

Section 1. Authority and Purposes: The Student Court established by the Student Government Association and approved by the Student Life Committee receives its authority from the Board of Regents through the President of Morehead State University. The Student Court will hear cases of members of the Student Association and student organizations charged by the Attorney General of the Student Court with violating provisions of the Student Government Association constitution, the association's election procedures, or other stated policies of the association and will recommend action to the appropriate university committee.

### Section 2. Composition and Duties:

#### A. Composition

1. The Student Court shall consist of a Chief Justice and four Associate Justices
2. There shall be an Attorney General
3. There shall be an Assistant Attorney General
4. There shall be Chief Defense Council
5. There shall be a Clerk of Court.

B. Duties:

1. Chief justice:
  - a. He/she will preside over all hearings and meetings
  - b. He/she will call special meetings and hearings
  - c. He/she may discuss each case
  - d. He/she will cast a vote only in case of a tie
  - e. In cases in which the Chief Justice is unable to preside, an acting Chief Justice shall be selected by lot from the associate justices.
2. Associate Justices:
  - a. Each Associate Justice may discuss each case.
  - b. Each Associate Justice may cast one vote on all issues.
3. Attorney General:
  - a. He/she is to act as a prosecutor for the court
  - b. He/she is to gather all pertinent and relevant information concerning the case
  - c. He/she shall serve writs of summons on individual or chief executive officers of organizations, ordering them to appear before the court.
4. Assistant Attorney General:
  - a. He/she is to assist the Attorney General as prosecutor for the court
  - b. He/she is to assist the Attorney General in gathering all relevant information concerning the case.
  - c. He/she shall assist the Attorney General in serving writs of summons.
  - d. In cases in which the Attorney General feels he or she cannot prosecute a case fairly, he/she may disqualify himself/herself and the Assistant Attorney General will assume the prosecution of the case.
5. Chief Defense Counsel:
  - a. He/she shall gather evidence relevant to the case, and shall have access to the information of the Attorney General concerning the case.
  - b. He/she shall conduct the defense for the case unless the defendant requests another counsel. (Refer to Article VI, Section II A1)
6. Clerk of Court:
  - a. He/she shall keep transcripts of all hearings for the court.
  - b. He/she shall forward each decision and a copy of the transcript of all proceedings to the President of the Student Government Association and the Vice President for Student Life.

Section 3. Method of Selection, terms of Office and Vacancies:

A. Method of Selection:

1. The President of the Student government Association, with the approval of Congress, shall appoint Justices to the court and designate a Chief Justice. No justice may be a member of Congress while serving on the court.
2. The Attorney General, Assistant Attorney general, Chief Defense Counsel, and Clerk of Court shall be appointed by the President of the Student Government Association with the approval of Congress. They may not be members of Congress during their respective terms of service.

- B. Terms of office: All justices, the Attorney General, Assistant Attorney General, the Chief Defense Counsel, and the clerk of court shall serve from the date of their approval by Congress until the close of the spring semester, unless otherwise stated in this constitution. All court officers must be full-time students with a minimum of 27 credit hours and must not be on social or academic probation at the time of appointment of during their term of office.
- C. Vacancies: In the event of vacancies, the President of the Student Government Association with the approval of Congress, shall appoint officers to serve the remainder of the term.

#### Section 4. Impeachment and Punishments:

- A. Any member of the Student Court may be removed from office through the procedure defined in Article X, Section 1.
- B. Any member of the Student Association who does not appear at a court proceeding when a writ of summons has been served shall be subject to contempt of court measures at the discretion of the court.

Section 5. Jurisdiction: Any member of the Student Association or any student organization charged by the Attorney General may be subject to the jurisdiction of the court.

#### Section 6. Authority and Appeal:

- A. The establishment of the court and the derivation of its authority are contingent upon statutory restrictions of the Commonwealth of Kentucky and delegation of power from the Board of Regents and the President of the University.
- B. By Kentucky Revised Statutes, any decision of the court is the recommendation to and may be modified by the appropriate university committee.
- C. The court may recommend any action, which it considers fair and equitable to the appropriate university committee.
- D. Decisions resulting from the recommendation of the Student Court may be appealed to the appropriate university appeals committee.

#### Section 7. General Punishments:

- A. A justice will be disqualified in any case in which proof of conflict of interest is established in the preliminary motions.
- B. Any justice may freely disqualify himself/herself from voting on a case, which he or she feels he/she cannot, without prejudice, pass judgment.
- C. A disqualified judge may attend court hearings. He/she may not discuss the case and cannot vote. A decision is reached by a majority of justices voting on the case.
- D. The President of the Student Government Association is required to publicize through student publications that positions on the court are open to applicants.

- E. The Student Congress may develop lower courts, as they are deemed necessary, with the approval of the Student Life Committee and the Board of Regents.

Section 8. Advisor: The advisor of the Student Court shall be the Vice President for Student Life or his designee. He/she shall have deliberate power but no voting power in court. He/she must be notified in advance by the clerk of the Student Court of all hearings.

Section 9. Meeting Time:

- A. The court shall meet at times when a need arises.
- B. The Chief Justice shall have the power to call special meeting, providing a 24-hour notice of all such meetings is given to all officials of the court.

Section 10. Hearings:

- A. The chief justice shall have the power to call special hearings. The defendant, chief defense counsel, attorney general, assistant attorney general, clerk of court, advisor, and all justices must be notified of such hearings 48 hours in advance.
- B. For regular hearings, the following procedures will be observed:
1. Call of cases on docket
  2. Opening statements from prosecution and defense counsels
  3. Presentation of case for prosecution, including evidence and witnesses through direct examination
  4. Cross examination
  5. Any re-direct or re-cross examinations
  6. After prosecution rests its case, defense will pursue its case in the same order.
  7. Summation by prosecution
  8. Summation by defense
  9. Verdict of the Court

Section 11. Enumerated Rights of the Defendant: A person appearing before the court is to be advised of the following rights which he or she enjoys as an American Citizen, and as a full-time student of Morehead State University.

- A. He/she may act as own counsel, utilize the assistance of the chief defense counsel's office, or have counsel of own choice. Such counsel must be a full-time Morehead State University student.
- B. He/she may have witnesses testify on his/her behalf
- C. He/she must be informed of the charges brought against him/her
- D. He/she may not be forced to testify against himself/herself, or be forced to otherwise incriminate himself/herself.
- E. He/she may change his/her plea
- F. He/she may request an open or closed hearing



- G. He/she has right to request of the court that the courtroom be cleared of all spectators. The Chief Justice reserves the right to clear the courtroom of spectators who violate the dignity of the court by unruly action during proceedings.

## ARTICLE VII- STUDENT INITIATIVE, REFERENDUM, AND RECALL

Section 1. Initiative: Any election deemed appropriate may be initiated by a resolution approved by a majority of the congress at a regular meeting or by a petition directed to the congress stating the proposed matter in full and signed by at least 10 % of the Student Association.

Section 2. Referendum: The Congress shall, within 15 days of receipt, verify the initiative, and shall refer the referendum to the President of the Association to begin ratification within 24 hours of its verification. Ratification shall be accomplished in the following manner:

- A. The President of the Student Government Association shall, within 60 days and not less than 15 days from the date of receipt cause a special election to be held, wherein the Student Association shall be entitled to vote on the matter submitted.
- B. The election will be held, provided that notice of such election setting forth the proposed referendum, in full, be made public by the vice president for Public Relations not less than six days prior to the date set for the election.
- C. If the referendum is approved by a majority of those voting it shall be binding upon all branches of the Student Government Association.

Section 3. Recall: If by a petition of no less than 25 % plus one of the official's constituency, the qualification record or loyalty of the elected official is disputed; congress shall call a special election demanding a majority vote of the total constituency to declare a vacancy in that office. If a vacancy is declared it shall be filled by special election or as otherwise stated in Section 4, Article V, of this constitution.

## ARTICLE VIII – ELECTIONS AND TERMS OF OFFICE

### Section 1. Executive Branch:

- A. The Student Association after shall elect all members of the executive branch each year mid-term in the spring semester of the academic year.
- B. All dates, procedures, and rules pertaining to the elections and installations will be established by an Election Committee created by Congress. All dates, procedures, and rules proposed by the Election Committee are subject to final approval of Congress.
- C. All newly elected officials shall be installed before the end of the spring semester at a time and in a fashion set by Congress. The term of office, unless otherwise stated in this constitution, is to be no longer than 12 months and no less than 10 months after installation.

### Section 2. Congress:

- A. All members of Congress listed in Article V, Section 1., Subsections B-E, I, K and M, shall be elected from their respective constituencies during the first five weeks in the fall semester of the academic year.

- B. All dates, procedures, and rules pertaining to elections and installations will be established by an Election Committee created by Congress. All dates, procedures, and rules proposed by the Election Committee are subject to final approval by Congress.
- C. All newly elected officials shall be installed within a week after the election date at a time and in a fashion set by the Congress. The term of office, unless otherwise stated in this constitution, is not to extend beyond the closing of the spring semester.

### Section 3. Miscellaneous Student Elections:

- A. The Student Association shall elect all other elected representatives of the Student Association created by the Student Government Association or the university.
- B. All dates, procedures, and rules pertaining to elections and installations will be established by an Election Committee created by Congress. All dates, procedures, and rules proposed by the Election Committee are subject to final approval of Congress.
- C. All newly elected officials shall be installed at a time and in a fashion set by Congress. The term of office, unless otherwise stated in this constitution, shall be no more than 12 months and no less than 10 months after installation.
- D. All elected representatives of the Student Association are subject to the qualifications, fulfillment of vacancies, recall, and responsibilities as set for the members of Congress.

## ARTICLE IX - SUCCESSION

Section 1. Order of Succession: The order of succession to the presidency shall be: executive vice president, vice president for administration, vice president for finance, vice president for Public Relations, Vice President for Programming and an elected member of congress, respectively. It shall require a two-thirds vote of congress and a written letter of vacancy by the outgoing president to declare a vacancy in the presidency. If for some reason a letter cannot be obtained, a second vote of congress will serve to declare the vacancy. Upon the fulfillment of the office of president, the vacated position may be filled by appointment of the president and the approval of congress.

## ARTICLE X - IMPEACHMENT

Section 1. Definition of Impeachment: Any member of the Student Congress may be impeached by a majority vote of Congress for any act, which is detrimental to the best interests of the Student Association and/or the university. A trial shall be held by congress not sooner than one week, and not more than three weeks, from the act of impeachment. If a defendant is found guilty by a two-thirds vote of all voting members of Congress, the position shall be declared vacant, and a new election called, unless otherwise stated in this constitution.

## ARTICLE XI - MEETINGS

Section 1. Schedule of Meetings: Congress shall meet weekly during the regular academic year at a time, place, and date set by the executive committee.

## ARTICLE XII - AMENDMENTS

Section 1. Procedure: Amendments and changes to this constitution may be proposed by a majority vote of Congress or by a petition signed by not less than 10 % of the Student Association. An amendment shall become effective when ratified by two-thirds majority of those voting on the actual amendment in a campus wide election, and when approved by the Student Life Committee and the Board of Regents.

Revised April 2000

Approved by Board of Regents September 2000

# THE CONSTITUTION OF THE MOREHEAD STATE UNIVERSITY STUDENT GOVERNMENT ASSOCIATION

## PREAMBLE

We, the students of Morehead State University, cognizant of our rights and responsibilities as citizens of the university community, do hereby establish a system of self-government whereby our convictions and actions may be fully represented in a forum, our rights protected by adjudication, and our desires executed into reality, in the constitution of the Morehead State University Student Government Association.

## ARTICLE I - THE STUDENT ASSOCIATION

Section 1. Definition: Any person enrolled as a full-time student of Morehead State University is a member of the Student Association and is entitled to all the privileges and protections granted within this constitution.

## ARTICLE II - BRANCHES OF GOVERNMENT

Section 1. Delegation of Powers: The Student Association of Morehead State University shall be governed by three branches: executive, legislative, and judicial. These branches shall be separate, but interrelated.

Section 2. Title of Branches: These aforementioned branches shall have the powers of student self-government. They shall be named: the executive branch, the Student Congress, and the Student Court, respectively.

## ARTICLE III - BILL OF RIGHTS

Section 1. Rights of Students: The rights of the students of the Morehead State University Student Association as citizens of the United States of America and the university shall not be infringed upon by any person, organization, association, or group affecting this university.

Section 2. Inalienable Rights: All men are by nature free and equal, and have certain inherent and inalienable rights, among which are:

A. The right of enjoying and defending their privileges and liberties granted in the Constitution of the United States.

B. The right of the students to freely communicate their thoughts and opinions.

C. The right of the students to assemble together in peaceable manner for their common good, and to apply to those invested with the power of government for redress of grievances or other just causes by petition, address, or remonstrance.

D. The right of the students to be protected from discrimination because of sex, race, nationality, birthplace, or association.

E. The right of the students to free elections. Students appointed to office are to be appointed by freely elected officials.

F. The right of the students to alter, reform, or abolish their government, conditioned by the Board of Regents.

G. The right of the students to a speedy judicial remedy. Protection from double jeopardy, self-incrimination, and excessive or cruel punishment, shall be guaranteed.

Section 3. University Reserved Right: The administration may, in those cases where there is a strong indication that a student's misconduct will be repeated or continue or where the administration believes disciplinary action is necessary to permit the university to carry on its functions, impose immediate suspension with resultant loss of all student rights and privileges, pending hearing, if the student desires, before the Student Disciplinary Committee. The student has a right to a speedy hearing on the limited question of whether suspension should remain in effect until the regular hearing is completed.

## ARTICLE IV - THE EXECUTIVE BRANCH

Section 1. Officers: The executive branch shall consist of a committee of president, executive vice president, vice president for administration, vice president for finance, vice president for publicity "public relations", and vice president for programming. These elected officials constitute the Executive Committee and in doing so may not serve as a chairperson of a standing committee. All administrative functions of the Student Government Association shall be vested in this branch.

### Section 2. Qualifications:

- A. Any candidate for the executive branch must:
  - 1. Be a member of the Student Association.
  - 2. Have a 2.5 cumulative average.
  - 3. Not be on academic warning.
  - 4. Not be on disciplinary probation.
- B. Any candidate for the office of president must also have successfully completed a minimum of 45 hours of full-time study at Morehead State University.
- C. Any member of the executive branch must:
  - 1. Be a member of the Student Association.
  - 2. Maintain a minimum 2.5 cumulative grade point average during their term in office.
  - 3. Not be on academic warning.
  - 4. Not be on disciplinary probation.

Section 3. Executive Committee Responsibilities: The Executive Committee shall be responsible for the administration of all congressional acts. It shall assist the president; advise the executive vice president, that is who is currently in charge of committee chair responsibilities; meet prior to each general congressional session to set an agenda; meet in emergency sessions; and perform all duties granted it by the Student Congress.

Section 4. Advisory Staff: An advisory staff may be appointed by the president and may be dissolved by the president at his or her discretion.

### Section 5. Duties of Officers:

- A. The president of the Student Government Association is the chief officer of the executive branch.
  - 1. The major duties are as follows: to make all appointments granted the executive branch; to preside at all meetings of congress; to preside at all Executive Committee meetings; to be the association's official representative; to call special meetings of congress and of the Executive Committee; to perform such other duties as are necessary to serve the students of the association to the best of his or her ability.
  - 2. His or her presidential-legislative power shall be limited to: introduction of legislation, debate as granted in the latest edition of **Robert's Rules of Order**; messages; and power to initiate impeachment charges.
  - 3. His or her presidential-judicial power shall be limited to the authority to bring charges against violators of laws set by the Student Association, and to appoint, with the approval of congress, judges to the court.
- B. The executive vice president shall be vested with the powers of the president in the absence of or at the request of the president. He or she shall be an ex-officio member of all congressional committees. He or she is charged with reporting their progress to the president. The executive vice president shall preside during the impeachment and / or removal proceedings of the chief justice of the Student Court.
- C. The vice president for administration shall be responsible for all clerical assistance and the maintenance of all records of congressional meetings and Executive Committee meetings. He or



she shall handle all correspondence and send written notification of congressional meetings at least three days in advance of the respective meeting dates. The vice president for administration shall have a copy of the constitution, standing rules, the book of parliamentary procedure, and a list of all members of congress at all congressional meetings or upon request of the president. He or she shall file and official copy of the congressional minutes with the advisor and whomever the congress designates, within three days after the congressional meetings.

D. The vice president for finance shall have the power to conduct all financial transactions of the association. He or she is entrusted with the keeping of all financial records and the collection and distribution of all monies as directed by congress and or the president when granted the power by congress. All monies must be kept in accordance with the policies of Morehead State University.

E. The vice president for publicity "public relations" shall be responsible for the public affairs of the congress. He or she shall act as the public relations director of the Student Congress and shall direct all notifications and announcements of Student Congress sponsored events to the Student Government Association. He or she shall keep a record of all Student Government Association activities in a scrapbook designated for that purpose.

F. The vice president for programming shall be responsible for the administering to and proposing all special programs or events to the Executive Committee and Congress.

## ARTICLE V - THE STUDENT CONGRESS

Section 1. Membership: The membership of the congress of the university Student Government Association shall be composed of:

A. The Executive Committee.

B. The class representatives, numbering approximately 15, will be elected from the following classifications: freshman-4; sophomore-3; junior-3; senior-4; and graduate-1. The number of representatives elected from each classification will be determined on the same ratio to 15 as each class's full-time enrollment at the beginning of the last spring term to the total full-time university enrollment. It will be rounded off to the nearest whole number. In cases where the fraction is exactly half way between integers, it will be rounded up to the nearest whole number. Reapportionment of this legislative representation for the next session of congress shall be enacted in the spring term of each year and shall be based on each classification's full-time enrollment figure at the beginning of the spring term of that present school year.

C. A residence hall president shall be elected from each of the residence halls and will represent his or her specific residence hall. "The residence halls will be represented in the following manner: They will have 6 at large positions. The residence hall area will be divided into 3 regions. Fields, Thompson, Mays, and Cartmell, Mignon Complex with Nunn, and the last region would consist of Regents, Alumni, Cooper, and Wilson. The representatives will be as follows, 1 rep for the Fields area, 2 reps for the Alumni area, 3 reps for the Mignon Complex. This election will take place on the fall congress election ballot. The representatives will be separate from the RHA."

D. One family housing student representative shall be elected from that constituency. Family housing students are defined as only those students living in university family housing.

E. Two "Three" commuter representatives shall be elected from that constituency. Commuters are defined as students not living in university housing.

F. One African American student representative shall be elected by that constituency. The voting shall take place during the Black Coalition elections with the elected president serving as this representative.

G. One International student representative shall be elected by that constituency. The voting shall take place during the Cosmopolitan Club elections with the elected president serving as this representative.

H. One Non-Traditional student representative shall be elected by that constituency. The voting shall take place during the Non-Traditional Eagle Society elections with the elected president serving as this representative.

I. Two representatives per college shall be elected by their constituents. These representatives will also serve as student members on committees within their colleges.

J. One representative of the Student Activities Council shall be elected by that constituency. The voting shall take place during the Student Activities Council elections with the elected president serving as this representative.

K. One representative of the Interfraternity Council shall be elected by that constituency. The voting shall take place during the Interfraternity Council elections with the elected president serving this representative. One representative of the Panhellenic Council shall be elected by that constituency. The voting shall take place during the Panhellenic Council elections with the elected president serving as this representative. "One representative of the greek community at large shall be elected by that constituency."

L. "Two representatives at large shall be elected by that constituency."

M. One representative of the Residence Hall Association shall be elected by that constituency. The voting shall take place during the Residence Hall Association elections with the elected president serving as this representative.

N. Each representative will be a member of a standing committee of congress. Each representative will have his or her preference of the standing committee to which he or she belongs. This selection will be made within two weeks following the congressional election. Each member will list his or her preferences first, second, and third, and shall then be assigned to a committee by the executive vice president with approval from the president and congress.

Section 2. Qualifications: All representatives must be full-time students and in good social and academic standing with a 2.0 "2.25" overall academic standing on a 4.0 scale. A representative must be a member of the class that he or she represents during the first semester of his or her term of office or a member of the student segment that he or she represents for the entire term of his or her office. Qualifications of all candidates shall be verified and recorded by the vice president for administration of the Student Congress before names will be placed on the ballot. If a congress member drops below a full-time load during a semester, he or she may remain on congress with the approval of congress.

Section 3. Parliamentary Procedure: The congress shall determine the rules of its proceedings. **Robert's Rules of Order**, latest edition, shall govern the parliamentary procedure when not in conflict with the constitution or rules established by congress.

Section 4. Vacancies: If a vacancy occurs in congress, a new representative from the same constituency shall be appointed by the president of the Student Government Association and approved by the Student Congress.

Section 5. Appointments: The Student Congress shall by a majority vote ratify all appointments made by the president, unless otherwise provided for in this constitution. Any person appointed by the president shall be entitled to exercise all powers of the appointed office upon ratification by the Student Congress.

Section 6. Advisor: The advisor of the Student Congress shall be the vice president for student life or his/her delegated representative. He or she shall have deliberate power but no voting power in congress. He or she must be notified in advance by the vice president for administration of all congressional sessions.

Section 7. Minutes: The congress must keep minutes of its proceedings. The yeas and nays of the members on any question must be entered in the minutes at the desire of one-fifth of those present.

Section 8. Committees: All special and standing committees of the Student Government Association shall be established, regulated, and terminated by the executive vice president upon congressional approval or by congress. Committees shall be given direction through purposes and guidelines when established by congress.

Section 9. Quorum: A majority of the voting members of the Student Congress shall form a quorum for the

# THE CONSTITUTION OF THE MOREHEAD STATE UNIVERSITY STUDENT GOVERNMENT ASSOCIATION

## PREAMBLE

We, the students of Morehead State University, cognizant of our rights and responsibilities as citizens of the university community, do hereby establish a system of self-government whereby our convictions and actions may be fully represented in a forum, our rights protected by adjudication, and our desires executed into reality, in the constitution of the Morehead State University Student Government Association.

## ARTICLE I - THE STUDENT ASSOCIATION

Section 1. Definition: Any person enrolled as a full-time student of Morehead State University is a member of the Student Association and is entitled to all the privileges and protections granted within this constitution.

## ARTICLE II - BRANCHES OF GOVERNMENT

Section 1. Delegation of Powers: The Student Association of Morehead State University shall be governed by three branches: executive, legislative, and judicial. These branches shall be separate, but interrelated.

Section 2. Title of Branches: These aforementioned branches shall have the powers of student self-government. They shall be named: the executive branch, the Student Congress, and the Student Court, respectively.

## ARTICLE III - BILL OF RIGHTS

Section 1. Rights of Students: The rights of the students of the Morehead State University Student Association as citizens of the United States of America and the university shall not be infringed upon by any person, organization, association, or group affecting this university.

Section 2. Inalienable Rights: All men are by nature free and equal, and have certain inherent and inalienable rights, among which are:

A. The right of enjoying and defending their privileges and liberties granted in the Constitution of the United States.

B. The right of the students to freely communicate their thoughts and opinions.

C. The right of the students to assemble together in peaceable manner for their common good, and to apply to those invested with the power of government for redress of grievances or other just causes by petition, address, or remonstrance.

D. The right of the students to be protected from discrimination because of sex, race, nationality, birthplace, or association.

E. The right of the students to free elections. Students appointed to office are to be appointed by freely elected officials.

F. The right of the students to alter, reform, or abolish their government, conditioned by the Board of Regents.

G. The right of the students to a speedy judicial remedy. Protection from double jeopardy, self-incrimination, and excessive or cruel punishment, shall be guaranteed.

Section 3. University Reserved Right: The administration may, in those cases where there is a strong indication that a student's misconduct will be repeated or continue or where the administration believes disciplinary action is necessary to permit the university to carry on its functions, impose immediate suspension with resultant loss of all student rights and privileges, pending hearing, if the student desires, before the Student Disciplinary Committee. The student has a right to a speedy hearing on the limited question of whether suspension should remain in effect until the regular hearing is completed.



## ARTICLE IV - THE EXECUTIVE BRANCH

Section 1. Officers: The executive branch shall consist of a committee of president, executive vice president, vice president for administration, vice president for finance, vice president for publicity "public relations", and vice president for programming. These elected officials constitute the Executive Committee and in doing so may not serve as a chairperson of a standing committee. All administrative functions of the Student Government Association shall be vested in this branch.

### Section 2. Qualifications:

- A. Any candidate for the executive branch must:
  - 1. Be a member of the Student Association.
  - 2. Have a 2.5 cumulative average.
  - 3. Not be on academic warning.
  - 4. Not be on disciplinary probation.
- B. Any candidate for the office of president must also have successfully completed a minimum of 45 hours of full-time study at Morehead State University.
- C. Any member of the executive branch must:
  - 1. Be a member of the Student Association.
  - 2. Maintain a minimum 2.5 cumulative grade point average during their term in office.
  - 3. Not be on academic warning.
  - 4. Not be on disciplinary probation.

Section 3. Executive Committee Responsibilities: The Executive Committee shall be responsible for the administration of all congressional acts. It shall assist the president; advise the executive vice president, that is who is currently in charge of committee chair responsibilities; meet prior to each general congressional session to set an agenda; meet in emergency sessions; and perform all duties granted it by the Student Congress.

Section 4. Advisory Staff: An advisory staff may be appointed by the president and may be dissolved by the president at his or her discretion.

### Section 5. Duties of Officers:

- A. The president of the Student Government Association is the chief officer of the executive branch.
  - 1. The major duties are as follows: to make all appointments granted the executive branch; to preside at all meetings of congress; to preside at all Executive Committee meetings; to be the association's official representative; to call special meetings of congress and of the Executive Committee; to perform such other duties as are necessary to serve the students of the association to the best of his or her ability.
  - 2. His or her presidential-legislative power shall be limited to: introduction of legislation, debate as granted in the latest edition of **Robert's Rules of Order**; messages; and power to initiate impeachment charges.
  - 3. His or her presidential-judicial power shall be limited to the authority to bring charges against violators of laws set by the Student Association, and to appoint, with the approval of congress, judges to the court.
- B. The executive vice president shall be vested with the powers of the president in the absence of or at the request of the president. He or she shall be an ex-officio member of all congressional committees. He or she is charged with reporting their progress to the president. The executive vice president shall preside during the impeachment and / or removal proceedings of the chief justice of the Student Court.
- C. The vice president for administration shall be responsible for all clerical assistance and the maintenance of all records of congressional meetings and Executive Committee meetings. He or

she shall handle all correspondence and send written notification of congressional meetings at least three days in advance of the respective meeting dates. The vice president for administration shall have a copy of the constitution, standing rules, the book of parliamentary procedure, and a list of all members of congress at all congressional meetings or upon request of the president. He or she shall file and official copy of the congressional minutes with the advisor and whomever the congress designates, within three days after the congressional meetings.

D. The vice president for finance shall have the power to conduct all financial transactions of the association. He or she is entrusted with the keeping of all financial records and the collection and distribution of all monies as directed by congress and or the president when granted the power by congress. All monies must be kept in accordance with the policies of Morehead State University.

E. The vice president for **publicity** "public relations" shall be responsible for the public affairs of the congress. He or she shall act as the public relations director of the Student Congress and shall direct all notifications and announcements of Student Congress sponsored events to the Student Government Association. He or she shall keep a record of all Student Government Association activities in a scrapbook designated for that purpose.

F. The vice president for programming shall be responsible for the administering to and proposing all special programs or events to the Executive Committee and Congress.

## ARTICLE V - THE STUDENT CONGRESS

Section 1. Membership: The membership of the congress of the university Student Government Association shall be composed of:

A. The Executive Committee.

B. The class representatives, numbering approximately 15, will be elected from the following classifications: freshman-4; sophomore-3; junior-3; senior-4; and graduate-1. The number of representatives elected from each classification will be determined on the same ratio to 15 as each class's full-time enrollment at the beginning of the last spring term to the total full-time university enrollment. It will be rounded off to the nearest whole number. In cases where the fraction is exactly half way between integers, it will be rounded up to the nearest whole number. Reapportionment of this legislative representation for the next session of congress shall be enacted in the spring term of each year and shall be based on each classification's full-time enrollment figure at the beginning of the spring term of that present school year.

C. A residence hall president shall be elected from each of the residence halls and will represent his or her specific residence hall. "The residence halls will be represented in the following manner: They will have 6 at large positions. The residence hall area will be divided into 3 regions. Fields, Thompson, Mays, and Cartmell, Mignon Complex with Nunn, and the last region would consist of Regents, Alumni, Cooper, and Wilson. The representatives will be as follows, 1 rep for the Fields area, 2 reps for the Alumni area, 3 reps for the Mignon Complex. This election will take place on the fall congress election ballot. The representatives will be separate from the RHA."

D. One family housing student representative shall be elected from that constituency. Family housing students are defined as only those students living in university family housing.

E. Two "Three" commuter representatives shall be elected from that constituency. Commuters are defined as students not living in university housing.

F. One African American student representative shall be elected by that constituency. The voting shall take place during the Black Coalition elections with the elected president serving as this representative.

G. One International student representative shall be elected by that constituency. The voting shall take place during the Cosmopolitan Club elections with the elected president serving as this representative.

H. One Non-Traditional student representative shall be elected by that constituency. The voting shall take place during the Non-Traditional Eagle Society elections with the elected president serving as this representative.



I. Two representatives per college shall be elected by their constituents. These representatives will also serve as student members on committees within their colleges.

J. One representative of the Student Activities Council shall be elected by that constituency. The voting shall take place during the Student Activities Council elections with the elected president serving as this representative.

K. One representative of the Interfraternity Council shall be elected by that constituency. The voting shall take place during the Interfraternity Council elections with the elected president serving this representative. One representative of the Panhellenic Council shall be elected by that constituency. The voting shall take place during the Panhellenic Council elections with the elected president serving as this representative. "One representative of the greek community at large shall be elected by that constituency."

L. "Two representatives at large shall be elected by that constituency."

M. One representative of the Residence Hall Association shall be elected by that constituency. The voting shall take place during the Residence Hall Association elections with the elected president serving as this representative.

N. Each representative will be a member of a standing committee of congress. Each representative will have his or her preference of the standing committee to which he or she belongs. This selection will be made within two weeks following the congressional election. Each member will list his or her preferences first, second, and third, and shall then be assigned to a committee by the executive vice president with approval from the president and congress.

Section 2. Qualifications: All representatives must be full-time students and in good social and academic standing with a 2.0 "2.25" overall academic standing on a 4.0 scale. A representative must be a member of the class that he or she represents during the first semester of his or her term of office or a member of the student segment that he or she represents for the entire term of his or her office. Qualifications of all candidates shall be verified and recorded by the vice president for administration of the Student Congress before names will be placed on the ballot. If a congress member drops below a full-time load during a semester, he or she may remain on congress with the approval of congress.

Section 3. Parliamentary Procedure: The congress shall determine the rules of its proceedings. **Robert's Rules of Order**, latest edition, shall govern the parliamentary procedure when not in conflict with the constitution or rules established by congress.

Section 4. Vacancies: If a vacancy occurs in congress, a new representative from the same constituency shall be appointed by the president of the Student Government Association and approved by the Student Congress.

Section 5. Appointments: The Student Congress shall by a majority vote ratify all appointments made by the president, unless otherwise provided for in this constitution. Any person appointed by the president shall be entitled to exercise all powers of the appointed office upon ratification by the Student Congress.

Section 6. Advisor: The advisor of the Student Congress shall be the vice president for student life or his/her delegated representative. He or she shall have deliberate power but no voting power in congress. He or she must be notified in advance by the vice president for administration of all congressional sessions.

Section 7. Minutes: The congress must keep minutes of its proceedings. The yeas and nays of the members on any question must be entered in the minutes at the desire of one-fifth of those present.

Section 8. Committees: All special and standing committees of the Student Government Association shall be established, regulated, and terminated by the executive vice president upon congressional approval or by congress. Committees shall be given direction through purposes and guidelines when established by congress.

Section 9. Quorum: A majority of the voting members of the Student Congress shall form a quorum for the

transaction of business.

Section 10. Committee Reports: Committee representatives may be asked to report periodically on the action of their respective committees.

## ARTICLE VI - THE STUDENT COURT

Section 1. Authority and Purposes: The Student Court established by the Student Government Association and approved by the Student Life Committee receives its authority from the Board of Regents through the president of Morehead State University. The Student Court will hear cases of members of the Student Association and student organizations charged by the attorney general of the Student Court with violating provisions of the Student Government Association constitution, the association's election procedures, or other stated policies of the association and will recommend action to the appropriate university committee:

### Section 2. Composition and Duties:

#### A. Composition:

1. The Student Court shall consist of chief justice and four associate justices.
2. There shall be an attorney general.
3. There shall be an assistant attorney general.
4. There shall be a chief defense counsel.
5. There shall be a clerk of court.

#### B. Duties:

##### 1. Chief Justice:

- a. He or she is to preside over all hearings and meetings.
- b. He or she shall call special hearings and meetings.
- c. He or she may discuss each case.
- d. He or she will cast a vote only in case of a tie vote.
- e. In cases in which the chief justice is unable to preside, an acting chief justice shall be

selected by lot from the associate justices.

##### 2. Associate Justices:

- a. Each associate justice may discuss each case.
- b. Each associate justice may cast one vote on all issues.

##### 3. Attorney General:

- a. He or she is to act as prosecutor for the court.
- b. He or she is to gather all pertinent and relevant information concerning the case.
- c. He or she shall serve writs of summons on individuals or chief executive officers of

organizations, ordering them to appear before the court.

##### 4. Assistant Attorney General:

- a. He or she is to assist the attorney general as prosecutor for the court.
- b. He or she is to assist the attorney general in gathering all relevant information concerning the case.
- c. He or she shall assist the attorney general in serving writs of summons.
- d. In cases in which the attorney general feels he or she cannot prosecute a case fairly, he or she may disqualify himself/herself and the assistant attorney general will assume the

prosecution of the case.

##### 5. Chief Defense Counsel:

- a. He or she shall gather evidence relevant to the case, and shall have access to the information of the attorney general concerning the case.
- b. He or she shall conduct the defense for the case unless the defendant requests other

counsel. (Refer to Article VI, Section 11A1.)

##### 6. Clerk of Court:

- a. He or she shall keep transcripts of all hearings for the court.
- b. He or she shall forward each decision and a copy of the transcript of all proceedings to the president of the Student Government Association and the vice president for student life.

### Section 3. Method of Selection, Terms of Office, and Vacancies:

#### A. Method of Selection:

1. The president of the Student Government Association, with the approval of congress, shall appoint justices to the court and designate a chief justice. No justice may be a member of congress while he is serving on the court.
2. The attorney general, assistant attorney general, chief defense counsel, and clerk of court shall be appointed by the president of the Student Government Association with the approval of congress. They may not be members of congress during their respective terms of service.

B. Terms of Office: All justices, the attorney general, the assistant attorney general, the chief defense counsel, and the clerk of court shall serve from the date of their approval by congress until the close of the spring semester, unless otherwise stated in this constitution. All court officers must be full-time students with a minimum of 27 credit hours and must not be on social or academic probation at the time of appointment or during the term of office.

C. Vacancies: In the event of vacancies, the president of the Student Government Association with the approval of congress, shall appoint officers to serve the remainder of the term.

### Section 4. Impeachment and Punishments:

A. The chief justice, four associate justices, attorney general, assistant attorney general, chief defense counsel, or clerk of court may be removed from office through the procedure defined in Article X, Section 1.

B. Any member of the Student Association who does not appear at a court proceeding when a writ of summons has been served shall be subject to contempt of court measures at the discretion of the court.

Section 5. Jurisdiction: Any member of the Student Association or any student organization charged by the attorney general may be subject to the jurisdiction of the court.

### Section 6. Authority and Appeal:

A. The establishment of the court and the derivation of its authority are contingent upon statutory restrictions of the Commonwealth of Kentucky and delegation of power from the Board of Regents and the president of the university.

B. By Kentucky Revised Statutes, any decision of the court is a recommendation to and may be modified by the appropriate university committee.

C. The court may recommend any action which it considers fair and equitable to the appropriate university committee.

D. Decisions resulting from the recommendation of the Student Court may be appealed to the appropriate university appeals committee.

### Section 7. General Provisions:

A. A justice will be disqualified in any case in which proof of conflict of interest is established in the preliminary motions.

B. Any justice may freely disqualify himself or herself from voting on a case in which he or she feels he or she cannot, without prejudice, pass judgment.

C. A disqualified justice may attend court hearings. He or she may not discuss the case and cannot

vote. A decision is reached by a majority of justices voting on the case.

D. The president of the Student Government Association is required to publicize through student publications that positions on the court are open to applicants.

E. Lower courts may be developed by the Student Congress, as they are deemed necessary, with the approval of the Student Life Committee and the Board of Regents.

Section 8. Advisor: The advisor of the Student Court shall be the vice president for student life or his or her delegated representative. He or she shall have deliberative power but no voting power in the court. He or she must be notified in advance by the clerk of the Student Court of all hearings.

#### Section 9. Meeting Time:

A. The court shall meet at times when a need arises.

B. The chief justice shall have the power to call special meetings, providing a 24-hour notice of all such meetings be given to all officials of the court.

#### Section 10. Hearings:

A. The chief justice shall have the power to call special hearings. The defendant, chief defense counsel, attorney general, assistant attorney general, clerk of court, advisor, and all justices must be notified of such hearings 48 hours in advance.

B. For regular hearings, the following procedures will be observed:

1. Call of cases on docket.
2. Opening statements from prosecution and defense counsels.
3. Presentation of case for prosecution, including evidence and witnesses through direct examination.
4. Cross examination for the defense.
5. Any re-direct, or re-cross examinations.
6. After prosecution rests its case, defense will pursue its case in the same order.
7. Summation by prosecution.
8. Summation by defense.
9. Verdict of court.

Section 11. Enumerated Rights of the Defendant: A person appearing before the court is to be advised of the following rights which he or she enjoys as an American citizen, and as a full-time student of Morehead State University.

1. He or she may act as his or her own counsel, utilize the assistance of the chief defense counsel's office, or have counsel of his or her own choice. Such counsel must be a full-time student at Morehead State University.

2. He or she may have witnesses to testify in his or her behalf.

3. He or she must be informed of the charges brought against him or her.

4. He or she may not be forced to testify against himself or herself, or be forced to otherwise incriminate himself or herself.

5. He or she may change his or her plea.

6. He or she may request an open or closed hearing.

7. He or she has the right to request of the court that the courtroom be cleared of spectators. The chief justice reserves the right to clear the courtroom of spectators who violate the dignity of the court by unruly action during the proceedings.

## ARTICLE VII - STUDENT INITIATIVE, REFERENDUM, AND RECALL



Section 1. Initiative: Any election deemed appropriate may be initiated by a resolution approved by a majority of the congress at a regular meeting or by a petition directed to the congress stating the proposed matter in full and signed by at least 10 percent of the Student Association.

Section 2. Referendum: The congress shall, within 15 days of receipt, verify the initiative, and shall refer the referendum to the president of the association to begin ratification within 24 hours of its verification. Ratification shall be accomplished in the following manner:

- A. The president of the Student Government Association shall, within 60 days and not less than 15 days from the date of receipt, cause a special election to be held, wherein the Student Association shall be entitled to vote on the matter submitted.
- B. The election will be held, provided that notice of such election setting forth the proposed referendum, in full, be made public by the vice president for publicity "public relations" not less than six days prior to the date set for the election.
- C. If the referendum is approved by a majority of those voting, it shall be binding upon all branches of the Student Government Association.

Section 3. Recall: If by a petition of no less than 25 percent plus one of the official's constituency, the qualification record or loyalty of the elected official is disputed, congress shall call a special election demanding a majority vote of the total constituency to declare a vacancy in that office. If a vacancy is declared it shall be filled by special election or as otherwise stated in Section 4, Article V, of this constitution.

## ARTICLE VIII - ELECTIONS AND TERMS OF OFFICE

### Section 1. Executive Branch:

- A. All members of the executive branch shall be elected by the Student Association after mid-term in the spring semester of the academic year.
- B. All dates, procedures, and rules pertaining to elections and installations will be established by an Election Committee created by congress. All dates, procedures, and rules proposed by the Election Committee are subject to final approval of congress.
- C. All newly elected officials shall be installed before then end of the spring semester at a time and in a fashion set by congress. The term of office, unless otherwise stated in this constitution, is to be no longer than 12 months and no less than 10 months after installation.

### Section 2. Congress:

- A. All members of congress listed in Article V, Section 1., Subsections B, C, D, E and I, shall be elected from their respective constituencies during the first five weeks in the fall semester of the academic year.
- B. All dates, procedures, and rules pertaining to elections and installations will be established by an Election Committee created by congress. All dates, procedures, and rules proposed by the Election Committee are subject to final approval of congress.
- C. All newly elected representatives shall be installed within a week after the election date at a time and in a fashion set by congress. The term of office, unless otherwise stated in this constitution, is not to extend beyond the closing of the spring semester.

### Section 3. Miscellaneous Student Elections:

- A. All other elected representatives of the Student Association created by the Student Government Association or the university shall be elected by the Student Association.
- B. All dates, procedures, and rules pertaining to elections and installations will be established by an

Election Committee created by congress. All dates, procedures, and rules proposed by the Election Committee are subject to final approval of congress.

C. All newly elected officials shall be installed at a time and in a fashion set by congress. The term of office, unless otherwise stated in this constitution, is to be no longer than 12 months and no less than 10 months after installation.

D. All elected representatives of the Student Association are subject to the qualifications, fulfillment of vacancies, recall, and responsibilities as set for members of congress.

## **ARTICLE IX - SUCCESSION**

Section 1. Order of Succession: The order of succession to the presidency shall be: executive vice president, vice president for administration, vice president for finance, and an elected member of congress, respectively. It shall require a two-thirds vote of congress and a written letter of vacancy by the outgoing president to declare a vacancy in the presidency. If for some reason a letter cannot be obtained, a second vote of congress will serve to declare the vacancy. Upon the fulfillment of the office of president, the vacated position may be filled by appointment of the president and the approval of congress.

## **ARTICLE X - IMPEACHMENT**

Section 1. Definition of Impeachment: Any member of the Student Congress, may be impeached by a majority vote of congress for any act, which is detrimental to the best interests of the Student Association and/or the university. A trial shall be held by congress not sooner than one week, and not more than three weeks, from the act of impeachment. If a defendant is found guilty by a two-thirds vote of all voting members of congress, the position shall be declared vacant, and a new election called, unless otherwise stated in this constitution.

## **ARTICLE XI - MEETINGS**

Section 1. Schedule of Meetings: Congress shall meet weekly during the regular academic year at a time, place, and date set by a majority of its members.

## **ARTICLE XII - AMENDMENTS**

Section 1. Procedure: Amendments and changes to this constitution may be proposed by majority vote of congress or by a petition signed by not less than 10 percent of the Student Association. An amendment shall become effective when ratified by two-thirds majority of those voting on the actual amendment in a campus wide election, and when approved by the Student Life Committee and the Board of Regents.